

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHANNON ANDERSEN.

Plaintiff,

V.

NATIONAL ASSOCIATION OF LETTER CARRIERS, a labor organization, and NATIONAL ASSOCIATION OF LETTER CARRIERS, BRANCH 79, a labor organization, and UNITED STATES POSTAL SERVICE, and LOUIS DEJOY, POSTMASTER OF THE UNITED STATES.

Defendant.

CASE NO. 2:20-cv-01678-RSM

**STIPULATION AND
ORDER TO CONTINUE
DEADLINES**

Plaintiff Shannon Andersen and Defendants National Association of Letter Carriers, National Association of Letter Carriers, Branch 79 and Louis DeJoy, Postmaster General of the United States Postal Service, hereby jointly stipulate and move for a six-month extension of the remaining case deadlines, including the trial date.

A court may modify a schedule for good cause. Fed. R. Civ. P. 16(b)(4). Continuing pretrial and trial dates is within the discretion of the trial judge. *See King v. State of California*, 784 F.2d 910, 912 (9th Cir. 1986).

The parties submit there is good cause for an extension of the deadlines. Defendants

1 contend that they lack basic information about plaintiff's claims. Plaintiff responds that defendants
 2 are fully aware that the Defendant Union's arbitration of Plaintiff's removal grievance was not
 3 successful as the arbitrator concluded that the grievance was untimely, and thus, there has been no
 4 legal determination as to the lack of just cause for Plaintiff's removal and end of her postal career.

5 As set forth in their motions to dismiss, defendants contend that plaintiff has not stated a
 6 claim against any of the defendants and that her complaint does not include essential information
 7 such as what contract provision she claims the Postal Service violated, or the basis for her claim
 8 that her labor union discriminated against her. Dkt. #8, 10. Those motions have been fully briefed
 9 by all parties; each has been diligent in doing so as their motions to dismiss were filed in January
 10 and February, 2021.

11 Defendants subsequently propounded written discovery requests to plaintiff to ascertain
 12 the basis for her claims and her claimed evidence in support. Although the deadline to respond to
 13 those requests has passed and defendants have not granted plaintiff an extension of time to respond,
 14 plaintiff has not produced any responses or documents to defendants' discovery requests. Plaintiff
 15 states that due to several unanticipated events including the past two weeks' need to provide
 16 support to a friend on a medically urgent situation, counsel anticipates getting an initial response
 17 on all sets of discovery by week's end. Moreover, all parties had informally stayed depositions
 18 pending resolution of the motions to avoid unnecessary expenses. Therefore, good cause exists
 19 because defendants would suffer prejudice if they were required to comply with quickly
 20 approaching deadlines without knowing the nature of and basis for plaintiff's claims.

21 Based on the foregoing, the parties agree to extend the current deadlines as follows:
 22

	CURRENT DEADLINES	NEW DEADLINES
23 Disclosure of expert testimony under FRCP 26(a)(2)	November 17, 2021	May 17, 2022
24 25 26 Deadline for filing motions related to discovery.	December 17, 2021	June 17, 2022

1	Any such motions shall be noted for consideration pursuant to LCR 7(d)(3)		
2	Discovery completed by	January 18, 2022	July 18, 2022
3	All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d))	February 15, 2022	August 15, 2022
4	Mediation per LCR 39.1(c)(3), if requested by the parties, held no later than	April 1, 2022	October 3, 2022
5	All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter	April 18, 2022	October 18, 2022
6	Agreed pretrial order due	May 4, 2022	November 4, 2022
7	Pretrial conference to be scheduled by the Court		
8	Trial briefs, proposed voir dire questions, jury instructions, neutral statement of the case, and trial exhibits due	May 11, 2022	November 11, 2022
9	5 DAY BENCH TRIAL	May 16, 2022	November 16, 2022

1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

2 DATED this 28th day of October, 2021.

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ORDER

2 It is hereby so **ORDERED** that the deadlines are continued as set forth in the stipulation
3 between the parties. A revised case scheduling order consistent with the stipulation of the parties
4 will be issued.

DATED this 1st day of November, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE